

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE ALUMINUM WAREHOUSING  
ANTITRUST LITIGATION

13-MD-2481 (PAE)  
and all related cases

ORDER

PAUL A. ENGELMAYER, District Judge:

The Court hereby schedules the next telephonic conference in this case for Friday, May 22, 2020, at 10 a.m., using the Court's teleconference system.


**Dial-in Number:** (888) 363-4749 or (215) 446-3662  
**Access Code:** 468-4906

The Court directs that, two days prior to the call, counsel submit a brief joint letter summarizing recent developments in the case, identifying the call participants for each side, setting forth dates in June 2020 on which the necessary counsel would be available for an oral argument on the pending class certification motion, and pointing the Court to any filing or document in the record that lists the First Level Purchasers' ("FLPs") 286 proposed class members.

The Court further directs that counsel be prepared briefly to discuss the following issues on the call: (i) whether and how the proposed 286 class members could be sorted into "commercial and non-commercial purchasers," Dkt. 1040 at 31; *see, e.g.*, Dkt. 1157 at 26–27 (identifying individual issues and potential conflicts of interest among dissimilarly-situated purchasers); (ii) whether and how the proposed class definition could be narrowed, or a subclass could be created, to include only purchases based on an explicit Midwest Premium term in a supply contract, *compare id.* at 25, *with* Dkt. 1194 at 36; and (iii) defendants' proposal to narrow

the class definition to eliminate purchases from suppliers other than Alcoa, Rusal, and Rio Tinto, including (a) the impact of such a narrowing on the FLPs' claimed damages and the Court's management of the case, and (b) how, if the Court did not so narrow the class, the FLPs would prove antitrust impact and damages from such other purchases without obtaining additional discovery, *see* Dkt. 1013 at 67–68.

SO ORDERED.

  
Paul A. Engelmayer  
United States District Judge

Dated: May 13, 2020  
New York, New York